

Coal River Mountain Watch Messenger

www.crmw.net

Volume 5, Issue 1

VICTORY: New, safe school for Marsh Fork community!

By Debbie Jarrell

Right at press time, we received incredible news: the children of the Marsh Fork community will finally have a new elementary school, safe from the shadow of a leaking sludge dam and coal silo!

Our state School Building Authority, the Raleigh County Board of Education, and coal giant Massey Energy (operating the sludge dam and silo) all pledged money towards the new school, but the total came up short. However, in an amazingly serendipitous moment, Charlie Annenberg of the Annenberg Foundation was visiting the valley, and decided to fund \$2.5 million dollars to make the project possible.



The current (soon-to-be former) Marsh Fork Elementary sits within 300 feet from one coal silo and 400 yards from a leaking sludge dam. (Photo by Brittany Williams).

In our summer newsletter, we will retrace the road to this victory. For now we are printing Debbie Jarrell's original article, written before we knew the outcome. You can read it and smile, knowing that the ending is a happy one:

Pennies of Promise was started as a ways to fund a new school for the children

(See VICTORY, p. 2)

Community greenhouse grows fresh hope

Coal River Mountain Watch has been supporting a new community group, Seeds of Unity and Hope for Coal River, whose mission is to grow unity and hope through community projects that honor the past while strengthening the community for the future. The group's first project is a greenhouse, located on donated land in the town of Arnett. Greenhouse supervisor Arthur Littleton describes the project here.

From Arthur:

What is your experience in gardening? Been doing it since I was 8, my Mom and Dad got me started and I've been doing it ever since. My dad started me off weeding around the edges and wouldn't let me

(See GREENHOUSE, p. 3)

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MISSION

The mission of Coal River Mountain Watch is to stop the destruction of our communities and environment by mountaintop removal mining, to improve the quality of life in our area and to help rebuild sustainable communities.

Remembering the Past, Working for the Future

at Marsh Fork Elementary. On March 23rd, I was proud to be a participant in the WV School Building Authority meeting in which Raleigh County Superintendent made MFE their special needs project and formally asked the SBA for money to build our new school. I am so proud to be a part of this as all of you should be. It is everyone involved in this campaign that has brought it to the national forefront.

You should pat yourselves on the back for this accomplishment. I want everyone to know that the money raised so far is being given to Raleigh Co BOE for helping fund our new school, if the WV SBA deem it a worthwhile project to help fund. Massey Energy has also promised \$1 million dol-

lar donation towards the construction of our school as well as Raleigh County adding \$1 million.

Please know that this is only the beginning in which Pennies of Promise can help, and any subsequent money raised for Pennies of Promise will also go to making that playground one that the children (and those involved) will be proud of. The announcement as to whether they will fund this is April 26 in the Capitols Rotunda in Charleston.

It is our hope that Pennies of Promise can become a Partner in Education with our elementary school and those involved will share our enthusiasm in helping that become a reality.

Pennies of Promise could become a huge factor in shaping our childrens futures with help funding field trips, summer camps, computer, learning trails, the list is endless as to what we can offer these children.

So when we get this new school let it be known that you will be needed even more. So let your imaginations run wild with what could be offered by you. Your enthusiasm is uplifting and I am so proud to be a part of this. I see a brighter future for us all.

Debbie Jarrell lives in Rock Creek and is one of the founders of Pennies of Promise. Her husband Ed Wiley walked to Washington, D.C. to raise support for the campaign.

No April Fool's Joke: EPA makes "unprecedented" move to limit mountaintop removal damage

By Junior Walk

Clarity is a good thing, and the EPA is finally coming around to this idea. On the first of April (and no, it isn't an elaborate April fools joke) the EPA released a new guidance document that should prevent almost all valley fills.

The EPA may now block permits that cause the downstream water to exceed the conductivity of 500 microsiemens per centimeter. (Conductivity is the measure of the presence of many destructive pollutants). This decision means valley fills will be practically outlawed. "You're talking about no or very few valley fills that are going to be able to meet standards like this" said administrator Jackson.

Over 2,000 miles of streams have been destroyed by valley fills, and hopefully there won't be another mile buried.

Another quote from the document makes us all here at Coal River Mountain Watch feel more hopeful that we're finally going to see some action: "As scientific evidence grows, EPA has a legal responsibility to address the environmental consequences of Appalachian surface coal mining." Another encouraging quote from the document; "The people of Appalachian shouldn't have to choose between a clean, healthy environment in which to raise their families and the jobs they need to support them" Well, it's great that someone is finally admitting that.

It's amazing that we're getting regulatory

change, now we need legislative change. Because, if we just get regulatory action, when the next administration comes into power, it could be completely done away with, and the heinous act of mountaintop removal could start right back up again.

I'd like to urge our readers to contact your senators, and tell them to sign onto Senate Bill 696, the Appalachian Restoration Act.

The EPA will be holding public comments on this decision, as well as their decision to veto the Spruce no. 1 mine, and will publish a federal register with details on how to comment. The conductivity deci-

sion comment period will be open through December, so look in our next newsletter or contact us for updates on how to com-



Under the new guidance document, valley fills like these should be nearly impossible to permit. (Photo by Vivian Stockman)

ment!

Junior Walk is Coal River Mountain Watch's new office manager. He is a Coal River Valley native whose first school was Marsh Fork Elementary. An avid writer, Junior's future plans include studying journalism.

GREENHOUSE (cont'd from p. 1)

hoe the garden until I was 11 or 12 years old. I learned a whole lot from my parents and the rest I picked up on my own. I'm a premier lifetime member of the National Home Gardening Club, and am on their board of advisors for this area.

How did you get involved in the greenhouse?

[A fellow group member] asked me about when to plant everything and asked me if I wanted to help with running the greenhouse.

What will your role be?

Giving instruction on when to plant everything and general workings of the greenhouse for however long I'm needed. When I plant I go by the almanac. Its how my mom and dad taught me and I'm too old to get away from it now.

What sort of plants will you grow?

Hibiscus and Rose-of-Sharon for starters. Hopefully starting some tomatoes, peppers, cucumbers, squash, lots of types of flowers, whatever I can. I've got some old-fashioned hollyhock seeds from last year that I could try to use, and some miniature hollyhocks and spider plants I'd like to start.

Will you be growing seedlings to sell or will you harvest the plants to sell?

Might try and sell some of the seedlings to people who'd like to grow them. Might also like to try and harvest some of the tomatoes and peppers and so on and sell what we harvest. Also could try and let some of

the petunias and sell those like that, and with some of the flowers that take two years to bloom like the hollyhocks might sell those before they bloom and let people plant them and have them bloom next year.

What challenges do you foresee?

Once it's finished building and planted, making sure it's well heated when it gets cold. I can probably figure how to raise the peppers year round though. Some people say I have a green thumb, haha! They say, "You could throw some dirt and seeds on a rock and it would grow." We just need everyone to pitch in and help and we should be able to do it. But if anyone's got questions they can come talk to me and I can help them to the best of my knowledge.

What ways do you see community members helping?

If they want to volunteer I'm all for it.

How will the greenhouse benefit the Coal River Valley?

If it gets started it'll be the only kind of its sort that I know of around here.. But we've got to wait for it to really get going, and we'll see what happens.

Top: Shitake mushroom cultivation workshop held at the greenhouse (Arthur Littleton is standing second from the left.)

Middle and bottom: Inside and outside the greenhouse. (Photo by Julia Sendor).



Why come back to West Virginia? Local resident explains his drive to fight for a better home

By T.C. Hall

I came home roughly a month ago. Like most of my friends I had the dream of getting out of West Virginia to see the world and make it somewhere else. So why am I back? To put it bluntly I was enlightened by my best friend on what was happening right in my back yard.

I remained so ignorant for so long, believing coal was key in this state. But now I am seeing the truth. Hundreds of acres leveled in only months, water that looks like you need to chew it because of the contamination, but worst of all I see fear.

People have every right to be afraid for

the welfare of their families, but are we not West Virginians? We pride ourselves on being able to do without the necessities of the modern world, or so I thought. It's easy for a person to brag how "country" they are until they are faced with country itself. Are people honestly that afraid for their poison-peddling jobs?

There is always going to be a way to survive in these mountains without coal. When faced with adversity we as mountaineers always rally together and stand for what we believe in...at least that's what I thought.

Now big coal has us fighting each other. Coal has blinded us from what's truly important. Our families, heritage, our proud never-say-die spirit. Friends, for the sake of everything you believe in let us end the fighting. Look out your windows and see what coal is really about. Climb the mountains and really listen.

T.C. Hall is a native to Glen Daniel. He is an avid supporter of the Save the Arts program and is now currently working on a series based on preserving West Virginia culture.

TAKING IT TO THE FEDS

Updates from campaigns to hold our federal government accountable

Lobbying to end valley fills: CRMW staffer reports back from D.C.

My name is Junior Walk, and my family has lived in the coal fields of southern West Virginia for generations. It pains me to see my heritage destroyed and defamed, and to see my friends and family poisoned by unclean water. So, I decided to take a little trip to Washington D.C. to put a stop to it.

Today, I'm in our nations capitol to stop the heinous practice of mountaintop removal coal mining. I'm here with the Alliance for Appalachia, as an employee of Coal River Mountain Watch; I'm here as an environmental activist; I'm here as an affected coal field resident; but I'm mostly here as someone whom cares about people, and all other living things.

When this bill becomes a law, it will effectively end mountaintop removal by making valley fills illegal (which they were in the first place under the Clean Water Act). This would greatly benefit the people of Appalachia, save lives, and open up mountains like Coal River Mountain for use as wind farms.

So, here I am, I've never been into any

city, never really had any experience outside of my neck of the woods, and I'm walking up the stairs to the legislature to talk to our representatives about what's going on in our back yards.

I care about mountaintop removal, and by extension this bill because it affects me directly as someone who lives in the coalfields and as someone who has seen and worked in the devastation. There are plenty of people here with me though that don't live in the thick of it, or aren't from Appalachia, and I am very grateful to them. You can help too; call and urge your congressman to co-sign the Clean Water Protection Act – HB 1310. Then call and urge your senator to act on the Appalachian Restoration Act – SB 696.



A proud lobby team gathers outside supporter Ron Wyden's office: CRMW members Delbert and Judy Gunnoe (standing on the left) and CRMW Board President Bob Kincaid and son Robin Welch joined Wyden's Oregon constituents for a balanced lobby team. (Photo by Johnny Kilroy).

OSM under watch!

By Lorelei Scarbro

In January of 2010 affected coalfield residents and other interested citizens from all over the US came together in Washington, DC for strategic planning about the OSMRE. Before, during and after these meetings the new director Joseph Pizarchik and other representatives met with The Alliance for Appalachia and other members of OSMRE Watch, including people as far away as AZ, WY, SD and AL.

The primary purpose of this group is to let this regulatory agency know that the affected citizens will not sit idly by and allow the OSMRE to continue to be dysfunctional. We plan to be at the table and have input into the process in every way we can. From asking the hard questions, informing them of the ramifications of their actions or in actions and to trying to find ways to halt budget cuts when what they are operating on now doesn't seem to be enough.

ARC gathers sustainable development ideas

By Vernon Haltom

We're finally hearing some responses to our demands for the federal government to support sustainable development in the coalfields. On March 22, the Appalachian Regional Commission and US Dept. of Agriculture held an Appalachian Rural Development Initiative "listening session" at Pipestem State Park.

They held other sessions previously in Pennsylvania, Alabama, and North Carolina, and their last session is scheduled for April 14 in Morehead, KY. President Obama's Council on Environmental Quality, after meeting with CRMW folks and others opposed to mountaintop removal (MTR), is driving these meetings to get input for economic alternatives to MTR.

Moving toward a prosperous, sustainable economy will help end mountaintop removal, and these agencies wanted to hear our ideas for moving forward. Lorelei

Scarbro, Patty Sebok, and Vernon Haltom represented CRMW and made our opinions on MTR, clean water, and a sustainable economy heard.

WV Commerce Secretary Kelly Goes represented Gov. Manchin and said that Gov. Manchin "is committed to economic development and diversification." She further stated that WV has solved the problems of clean water, sewage, broadband access, etc, "over and over and over again" and that WV should brag about our accomplishments.

The CRMW attendees made it clear that we disagree with her comments: the citizens have had to fight for water with little support from our state government and that the problems of contaminated water from coal sludge and MTR are just

(See LISTENING, p. 5)

Sludge Safety Project tackles WV legislature, demands clean water



By Stephanie Tyree

It's spring in West Virginia, and we've made it through another winter – and another session of the West Virginia Legislature. Just as last year, the Sludge Safety Project (SSP) was on the State Capitol grounds every week working with our allies to try to introduce and pass a bill that would **ban the underground injection of coal slurry** and **shut down coal sludge impoundments**.

Through lobbying at the fall interims, we learned just how difficult the 2010 legislative session was likely to be. SSP was told over and over to “Just stay home this year” and that “2010 is going to be a bad year to do anything about coal.” When we watched every single Delegate and Senator sign onto a joint resolution reiterating the WV Legislature's unwavering support of coal, we saw the writing on the wall. 2010 was going to be a tough year.

Just nine months from state elections, and with tensions running high on issues of mining, anything that could be seen as anti-coal – or that even mentioned coal – was considered Dead On Arrival by many legislators.

Despite the clear uphill battle, the Sludge Safety Project worked the halls of the legislature.

We spoke with our elected officials about **safety concerns** and the fear of looming disasters that communities have as they sit in the shadow of multi-billion gallon impoundments like the Brushy Fork Impoundment in Raleigh County.

We talked about the **continued practice** of underground injection of coal slurry, and the **failure of the DEP** to follow the Legislature's mandate to examine the environmental impacts of that practice under Senate Concurrent Resolution No. 15.

We talked about the communities located near underground injection sites that have bad water, and having to **fight for a basic right to clean drinking water** – while also battling increasing illnesses and the devastation created by rampant cancer and other diseases.

And – especially – we talked about how there are **alternatives to coal slurry**. It is not a necessary evil, and we as a state must shift away from it to protect the health of each other, and of ourselves. We all live downstream of the polluted water flowing for underground injections and leaking sludge impoundments.



The Sludge Safety team maps out a strategy to kick off the legislative season. (Photo by Jeremy Brannon).

Through the continued help of our legislative allies like Delegate Mike Manypenny and Senator Randy White, we were able to introduce **Ban Slurry bills** in both the House and Senate again this year. Just as last year, both bills got stuck in Committee and were not able to progress to a vote.

As the process of moving these bills through committees stalled, the Sludge Safety Project worked with a new ally, Senator Jeff Kessler from Marshall County, to move slurry ban efforts in a new way.

Senator Kessler, along with Senator White and Delegate Manypenny, organized a series of meetings between the Sludge Safety Project and the WV Coal Association to discuss the problem of slurry and the feasibility and urgency of switching to alternate coal processing methods.

These meetings, while private, were historic in a number of ways. Most importantly, they were the first time SSP and the Coal Association had engaged in an open, measured and prolonged dialogue about the

problems with slurry and the need to end it.

Through these meetings, we received a commitment from the Coal Association and Senator Kessler to hold a **series of hearings** on coal slurry impacts and alternatives during the 2010 Interim Session.

These hearings will bring speakers from impacted communities, as well as experts in the health, economic, environmental and coal processing fields before a Joint Legislative Committee to discuss the steps we can – and must – take as a state to stop producing slurry, start shutting down impoundments, and complete a transition to coal processing methods that do not produce toxic coal slurry.

Stay tuned for more information on the dates and agendas for these hearings. SSP will be providing action alerts and updates on our website www.sludgesafety.org. You can also contact us by calling 304-896-9622 or emailing info@sludgesafety.org.

Stephanie Tyree is co-coordinator of the Sludge Safety Project and a staff member with the Ohio Valley Environmental Coalition. A native of Charleston, Stephanie is happy to be back home with family and friends after spending the past 9 years in Pittsburgh and New York City to attend college and law school.

LISTENING (cont'd from p. 4)

beginning to be recognized. We also had the support of most of the room in stating that there's no such thing as clean coal.

The various problems and solutions discussed at the several small group tables were eventually boiled down into a handful of categories. The most important for our work were the public health crisis caused by MTR and sludge, sustainable economic development driven by the “triple bottom line” considering the environment, the economy, and social justice (thanks to friends at the Center for Economic Options), and a focus on youth, including youth input and involvement and the need to stop school consolidation.

Historic meeting with WV Governor Joe Manchin: The play-by-play

By Bo Webb

After a bit of wrangling I recently managed to book a meeting with Governor Joe Manchin. I wanted to meet the Governor in order to address the environmental and human health effects of mountaintop removal coal mining and the harsh reality we face as coal resources are rapidly dwindling in southern West Virginia.

The meeting was set for Jan. 25 at the Governor's Mansion. Now, I have never been to the Governor's Mansion and I was a little anxious to see the place, but more than that I was looking forward to having the Governor's ear, and to also listen to his vision of West Virginia's future.

The format for our meeting would be that of a round table discussion. The Governor invited our Congressional Representatives and their staffs, the Secretary of the WV Department of Environmental Protection, various state agencies representatives, state representatives, and the coal industry. He assembled quite an impressive list. I appreciated his sincere effort in amassing all these folks to listen to what our folks had to say.

Our folks were Vernon Haltom and Judy Bonds of Coal River Mountain Watch; Bob Kincaid, Chairman Board of Directors CRMW; Janet Keating and Maria Gunnoe of OVEC; Rory McIlmoil of Downstream Strategies; Dr. Ben Stout, Ecologist and Associate Professor at Wheeling Jesuit College; Dr. Michael Hendryx, Associate Professor, Department of Community Medicine, WVU Research Director, Institute for Health Policy WVU; Grammy Award winner and WV born Kathy Mattea; and yours truly. A diversified bunch I would say and quite impressive on its own merits given professionals of the caliber and magnitude of Dr. Stout, Dr. Hendryx and Rory McIlmoil.

We entered the front of the mansion and stood on fine carpet surrounded by oil paintings of former West Virginia Governors. We were greeted and then escorted to the Governor's conference tent, also known as the Governor's party tent. It is very impressive as far as tents go with a fine hardwood floor, beautiful wooden tables and comfortable leather chairs. One area of tables was linked together to form a huge square. (This was actually the Round Table). Nameplates on textured paper in fancy writing designated our seating arrangement. Everyone on "our team" sat

next to each other and filled one side of the four-sided table arrangement.

Seated directly across from me was the Governor. A podium stood to his left separating him from Congressman Nick Rahall, Congresswoman Shelley Moore Capito and Congressman Mollohan's staff. To the Governor's right were Senator Byrd's staff and Senator Rockefeller's staff.

The Governor opened the meeting with a short greeting and then spoke about "finding the balance with mountaintop removal and the environment." He was followed by short speeches from Rahall, Capito, Mollohan's spokesperson, and Rockefeller's spokesperson. It was then my turn to

of minable coal in WV and how western states are replacing West Virginia production. He showed charts and graphs, citing the US Geological Association and other well-accredited institutions.

Vernon Haltom cited violations and repeated violations of the same type at mountaintop removal sites that the WV DEP ignore and refuse to bring forward, refuse to regulate, and refuse to enforce. Bob Kincaid spoke passionately about our grandchildren and how we were allowing their future to be jeopardized by the destruction of our mountains, air, and water.

Maria Gunnoe spoke sadly about community displacement, how people are being



Community volunteer Bo Webb introduces the historic meeting. From left to right: Rep. Shelley Moore Capito, Kathy Mattea, Judy Bonds, Dr. Ben Stout, Dr. Michael Hendryx, Vernon Haltom, Bob Kincaid, Maria Gunnoe, Gov. Joe Manchin.

speak. I had prepared and was more than ready to get started.

After my opening remarks Dr. Ben Stout got down to business, citing serious water quality problems below valley fills and the damage that's being done to entire ecosystems and the aquifers of our drinking water due to mountaintop removal coal mining. Dr. Hendryx followed with a summary of his work study of the negative health effects in communities living beneath mountaintop removal mining, and how those health issues effect out economy.

Rory McIlmoil gave an alarming economical report on the continuing decline

forced to move, to become refugees within their own country, the loss of Lindytown to mountaintop removal. Judy Bonds spoke spiritedly about community impact, blasting, and Marsh Fork Elementary School.

Janet Keating talked hopefully about future West Virginia and the need for a new economy and New Jobs and how Green Jobs are the future and we should hitch our wagon to Green Jobs. Kathy Mattea was our last person to address the gathering. She spoke briefly about the mountains and then sang Jean Ritchie's beautifully written song, "Now is the Cool of the Day".

(See **MANCHIN**, p. 7)

Appalachians demand Environmental Justice protection from EPA

By Judy Bonds

This past February 2, many of us Appalachians headed for the Environmental Protection Agency (EPA) Office in Washington DC looking for Environmental Justice. Coal River was well represented. We were to be backed up with many other mountaineers by phone and we were on a mission.

Our legal friends had filed an Environmental Justice Petition to EPA and other agencies, and we had a face-to-face appointment. Our goal was to persuade this administration that we hillbillies qualified for the 1994 Executive Order to include low-income people for special consideration against excessive and disproportionately high pollution and adverse health burdens.



A Closer Look at Environmental Justice...

What is Environmental Justice?

From the EPA:
"Environmental Justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. EPA has this goal for all communities and persons across this Nation. It will be achieved when everyone enjoys the same degree of protection from environmental and health hazards and equal access to the decision-making process to have a healthy environment in which to live, learn, and work."

We asked the EPA to address its responsibility to protect the low-income communities of Appalachia. After decades of exploitation by out-of-state corporations and coal companies, we remain low-income with high poverty levels. We are mining more coal than ever before but we are now poorer than ever before.

In the process of strip mining, we are losing resources that are vital to our health, culture and our ability to end poverty and build sustainable economies for our children. I told EPA, "We are the last ethnic group remaining that people can make fun of and get by with it."

I wanted to start with a statement that would make them think about us long after we had left the building. I said "We come from a land where the sun comes up about 10 in the morning and the sun goes down about 3 in the day." You should have seen the looks on their faces. Everyone spoke of our great mountain culture and how we suffer higher health hazards. I think the EPA listened but stay tuned folks we are a waiting word back on our efforts.

Judy Bonds is a co-director of CRMW. She describes herself, "I love to garden - flowers and vegetables as a hobby. And I am fighting for our children's future. I love being a hillbilly- without these hills we would just be billies."

What are the federal regulations to ensure environmental justice?

From the Executive Order guidelines for environmental justice, called E.O. 12898:
"To the greatest extent practicable and permitted by law...each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations."

How does environmental justice factor into the EPA's newest guidelines about conductivity?

From the EPA "guidance document":
"E.O. 12898 calls for actions that can address several key environmental justice issues associated with surface coal mining. These include: conducting research, data collection, and analysis on direct, indirect and cumulative impacts; identifying patterns of subsistence consumption of fish and wildlife; and providing effective public participation and access to information. EPA will implement the E.O. by identifying and addressing, as appropriate, any adverse effects of proposed federal activities on low-income and minority populations, including ways or measures to mitigate any adverse effects."

MANCHIN (cont'd from p. 6)

Our time was up, we were finished, and now we would hear the Governor's closing remarks. He rose to his feet and began talking about how hard it is to "find the balance" and how tough a job Secretary Randy Huffman had at the WV Department of Environmental Protection in trying to keep strip miners working.

What's that you say? Let me regress. The Governor of West Virginia sat and appeared to listen to scientific reports by PhD's as associated with health effects on communities below mountaintop removal sites. He heard and was handed a well-prepared, credible, scary-as-heck econom-

ic report on future coal production in WV. He heard from WV citizens of what it's like to live beneath a mountaintop removal site and how the WV DEP refuses to protect our communities and people.

And after all that he talked about the Secretary of the WV Department of Environmental Protection trying to keep strip miners working on mountaintop removal sites. I didn't know that the Secretary of Environmental Protection was also the mountaintop removal strip miner Czar. I must have missed the press conference when the Governor made that announcement. I thought the Secretary of the WV Department of Environmental Protection's job was to protect our environment and

communities from industry abuses.

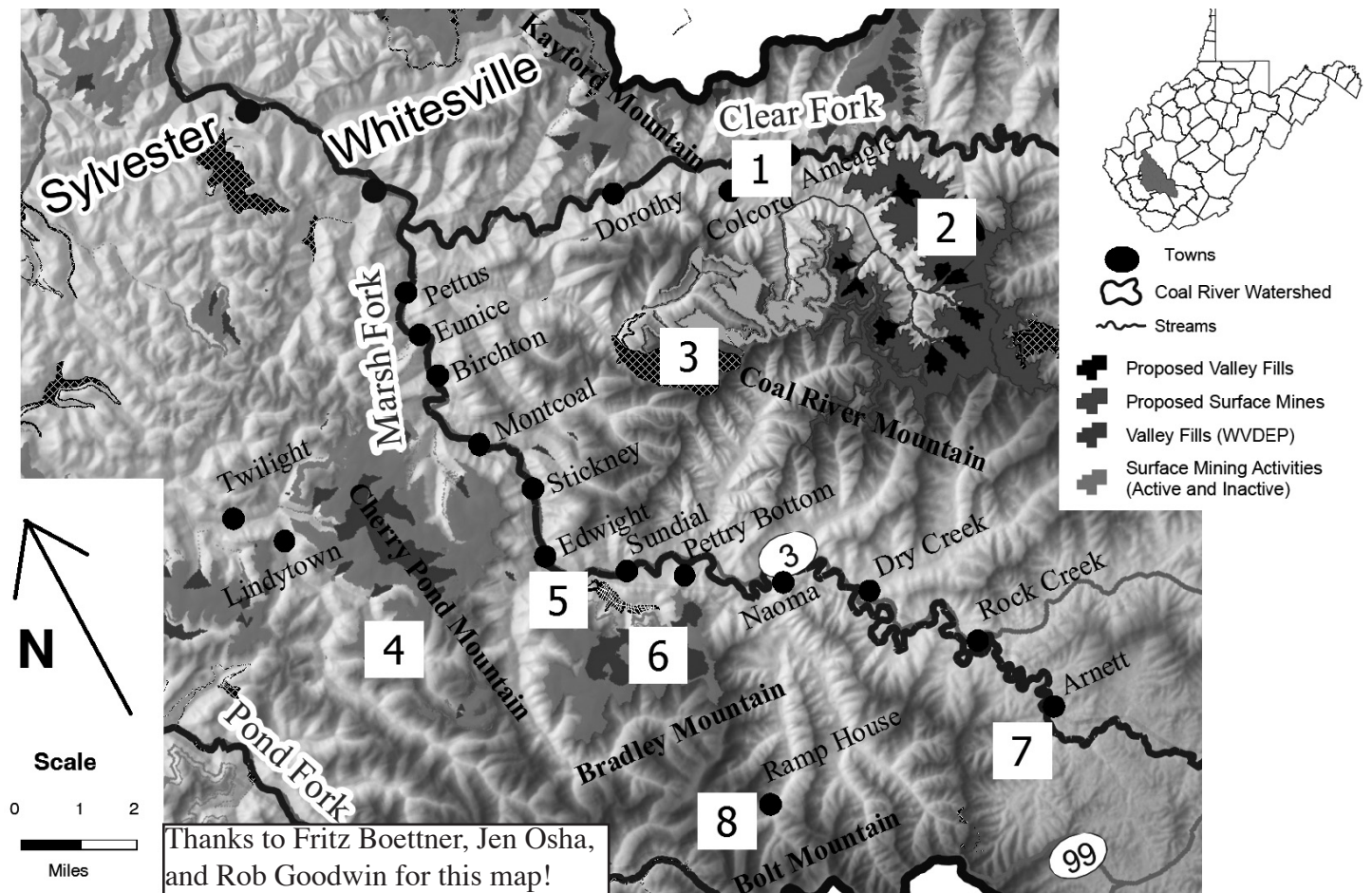
Silly me; that Governor sure knows how to manage and get the most out of his administrators, giving them different hats to wear, saving taxpayer dollars. Now if we can just find that balance...that we've been missing since King Coal conquered West Virginia around 125 years ago.

Oh, one last thing. The Governor's vision of the future? He didn't need to talk about that. Apparently it's the same as the last 125 years.

Bo Webb is a veteran and resident of Peachtree, in the Coal River Valley.

Bird's Eye News

A View of the Latest from the Coal River Valley Watershed



What's Happening Where?

A Key to the Map

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|--|---|
| <p>1) Clear Fork Blackwater Spill</p> <p>2) Coal River Mountain: Leather Leaf Permit Submitted to DEP</p> <p>3) Coal River Mountain: Blasting and Highwall Mining Continue</p> <p>4) Twilight South Permit Approved by DEP</p> | <p>5) Hard-won victory: A new Marsh Fork Elementary School!</p> <p>6) CRMW Discovers Hidden Edwight Show Cause</p> <p>7) Seeds of Unity and Hope for Coal River Greenhouse Built in Arnett</p> <p>8) Drew's Creek Ramp House: Annual Ramp Dinner April 17</p> |
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Tell Me More!

An in-depth look at on-the-ground action

1) Clear Creek Blackwater Spill

On the morning of February 23, residents of Clear Fork woke up to the sight of pitch black water flowing down their river. 5,000-10,000 gallons of black water spilled from a sediment pond below the Horse Creek Surface Mine and eventually discolored over 10 miles of Clear Fork all the way to its mouth. Pioneer Fuels was fined only \$1,010 for the spill.

2) Coal River Mountain: Leather Leaf Permit Submitted to DEP

A 1200 MTR permit application for west side of Coal River Mountain was submitted to the DEP. This is formally known as Eagle III and is a long way from public comment or approval. CRMW will continue to monitor the progress of this permit.

3) Coal River Mountain: Blasting and High-wall Mining Continue

Blasting continues within 1500 feet of the Bushy Fork Impoundment. CRMW is gathering information on how this may effect the safety of the impoundment. Any information regarding the impoundment or mines beneath it should be submitted to CRMW. Operations appear to be moving at a slower rate than planned. as no valley fills on Coal River Mountain have been approved

*** If you have any information on the impoundment or mines, please contact Rob Goodwin at (304) 854-2182.

4) Twilight South Permit Approved by DEP

DEP approved a 1900-acre MTR permit south of the existing Twilight complex without a public hearing.

5) Hard-won victory: A new Marsh Fork Elementary School! See story, p. 1

6) CRMW Discovers Hidden Edwight Show Cause: How many times can you keep violation the rules?

On November 3, 2009, Show Cause No. 1326 was issued to the Edwight surface mine for three "sediment control" violations and three "downslope spoil disposal" violations. Show Causes are designed to force a mine permittee to demonstrate why its permit should not be suspended or revoked for its repeat violations. The WVDEP decided to negotiate the Show Cause privately with Massey, shutting the public out of the process until Coal River Mountain Watch got involved.

On March 15, two CRMW volunteers met with the DEP inspector responsible for inspecting Edwight and his supervisor. The DEP employees blamed every regulatory discrepancy on their higher-ups, driving home the point that the OSMRE needs to take over surface mining regulation from the WVDEP.

7) Seeds of Unity and Hope for Coal River Greenhouse Built at Arnett

See story, p. 1

8) Drew's Creek Ramp House: Annual Ramp Dinner, April 17

While not a CRMW event, the annual ramp dinner is an important community celebration of the bounty of ramps (wild leeks that cover many a mountain-side in the spring). Ramps have a pungent flavor and off-the-charts nutritional value -- high in vitamins A and C and cholesterol-fighting properties.

Each April, hundreds of people from the Coal River Valley and beyond flock to the Drew's Creek Delbert Chapel to feast on fried ramps, fried potatoes, bacon, chow-chow, cornbread, pinto beans, stack cake, and sassafras tea. The dinner is a powerful reminder of this valley's natural richness -- rich both in land and people who know how to appreciate it.

REMEMBERING THE PAST, *WORKING FOR THE FUTURE*

An important part of Coal River Mountain Watch's mission is to rebuild sustainable communities. We believe in honoring our rich heritage of connection to the land and sense community, to guide us as we work together for a truly healthy future. In each issue, the Coal River Mountain Watch Messenger will piece together memories, stories, and dreams for the future of our mountain home.

THE SEASONAL ROUND: Hunting Molly Moochers

By April, as spring green is sneaking back into the valley, mouths begin to water for the taste of freshly fried molly moochers. Molly moochers are morel mushrooms, prized by wild food foragers, cooks, and any hungry belly. Coal River residents hope for wet days, ideally with a thunderstorm, followed by warm sun to roust the molly moochers up out of the ground. Comparing notes on how many molly moochers you've found is common -- giving away the location of your molly moocher spot is not.

From an interview with molly moocher hunter Emmett Withrow:

How long have you been hunting molly moochers?

Ever since I was about 12 years old. My mom showed me all kinds of stuff. We would go up Sycamore Hollow -- we'd pick mushrooms, greens, and go berry-picking together.

How would you describe molly moochers to someone who's never seen them?

They're a fungus that comes up in the spring. They taste good, a great taste, a lot of people call them dry-land fish. It grow underground and spreads, and when you ge a wet season tha lets them spread easie and faster, and they can inoculate the ground.

What are the best kinds of places to find them?

Molly moochers grow along the edges of the field. The black ones and the pecker-heads row along the poplar flats, old apple orchards. And molly moochers like to grow around old briar patches.

Do you ever tell people where your favorite spots are?

I've told a few people -- most people know where they're at. Yeah, mushroom hunters, they've always got themselves a spot.

When's a good time to go hunting them?

You need a good, wet spring that makes the spores spread and grow, and when it starts warming up, that's when they start popping out.



Not all molly moochers can be this big, but it never hurts to dream! (Photo courtesy of www.morelsandmore.com).

What's the most you've ever found?

We've picked over a thousand in a day.

What about the biggest?

I've got pictures of mushrooms big as a gallon milk jug -- we used to pick some great big ones.

Do some spots ever seem to stop producing molly moochers?

The molly moochers are usually there, as long as somebody doesn't overpick or tear them up. We always use mesh bags so the spores can fall back out.

What do you like most about hunting molly moochers?

All of it. I like going ito the mountains and looking for them. It's always good to get out in the woods.

How do you cook the molly moochers?

She [my mom] would roll them in corn-meal and fry them in lard, that's the only way she'd eat them. I put them in an egg wash and fry them in lard and a little but of oil and butter.

Emmett Withrow is a skilled mushroom hunter, who can find edible mushrooms on the mountain in almost every season. He lives on the Clear Fork of the Coal River, in Sycamore Hollow.

Lost Landmark: Bailey Mountain

By Rick Bradford

Bailey Mountain survives only in the memories of a few people. Most people recognize the name Montcoal Mountain -- a name given to the particular part of the Cherry Pond Mountain by coal interests as they exploited the mountain for its riches.

Bailey Mountain is the part of the Cherry Pond Mountain in the head of the Road Hollow and the Boardtree Hollow of Hazy creek, and between the forks of Matts Creek on the West Fork side of the mountain.

This is the place where John Bailey bought land in 1875, married Paulina Asbury, and raised nine children. Other families -- Billy Cantley, George Asbury, Floyd Williams, John and Mary Gunnoe, and George Smith -- joined John Bailey out on the mountain. They built a schoolhouse for the children of the community in a wide, flat area just to the right of the Boardtree Hollow.

Another community, River Fork, existed on the mountain top behind the town of Montcoal. Julius Mosefus, a Lithuanian immigrant, lived in the River Fork community as did John Bongalis, an immigrant from Crete.

Today the coal companies, when applying for a surface mine permit to be approved by the Department of Environmental Protection, forget all ties to community. Now it's just Montcoal Mountain.



Above right: Old chimney from homestead on Bailey Mountain.
Below right: John Bailey's gravestone from the Bailey cemetery.

Photos by Rick Bradford

Pickled Morel Mushrooms

(From *A Taste of the Wild* by Edelen Wood, West Virginia native and president of the National Wild Foods Association)

The classic way to prepare molly moochers is simply to roll them in cornmeal and flour and fry them, but if you want to get creative, you can give this recipe a shot.

Ingredients:

- tiny molly moochers and half pint sterilized jars
 - 1/2 cup olive oil
 - 2 cups cider vinegar
 - 1 small onion chopped fine
 - 1/2 cup chopped parsley
 - 3 tablespoons lemon juice.
- (Optional: pickling spices, 3/4 teaspoon dried thyme, bay leaf)

Directions:

"Combine all ingredients except mushrooms, and boil once hard. Add mushrooms and simmer. I tasted the mixture and added pickling spices, 3/4 teaspoon dried thyme, and a bay leaf. When the mushrooms were tender, I sealed them in the sterilized jars."

Mountain Inspiration

The inspiration keeps pouring out, as the beauty of the mountains and the outrage at the destruction move local residents to put the pen to the paper. We welcome art, poetry, and prose submissions from any residents of the Coal River Valley or members of Coal River Mountain Watch!

Loves of the Soul

By Billy Pyles

Love can hit you quick,
hard enough to thrust you into shock,
You will most definitely be aware of it when it hits.
So easily the barriers around your heart can unlock,
Love will simply blow you totally out of your wits.

When you first see the love of your life, your soul-mate,
You start stumbling, you indeed in love do fall.
You know for sure that love will never abate,
Yet, you do wish you could stop walking into the wall.

Sometimes, though, a different love can get quite as deep,
Such a thing as a deep love for nature should be common to everyone.

Into all loves trouble can seep; we must ask ourselves
if we just want to stand and weep,
My people's love of our mountains and nature, no,
we cannot let them do what they want done.

I stand and weep no more; I stand to step up and take my turn
at bat,
I will fight MTR; my words as weapons I will use.
I have decided my love for mountains and my people is where it
is at,
Our mountains and my people are getting tired of the MTR
abuse.

-- A original Billy

Author's note: I am a hermit. I do not wish to be disturbed by anyone. The only reason I do this is love for the mountains surrounding me and the people I have known all my life. I compose on many varied topics. I shall be inputting a romantic poem or two, poems about people, nature, just about everything. I will make you a deal. If you like my poems, make a good-sized contribution to CRMW, don't stress out, could be 50 cents for all I care. I will pick out which ones to compose something for. I go by what you say in your requests. This will be "Original Billy" poems written for and dedicated to you in the CRMW newsletter. hand-printed by me and signed. Copies of these poems can be gotten by going through CRMW. I'll try to come from behind my barriers and re-join a specific part of society for a bit. Well, I gotta go. All of you out there take care. later--- Billy.

Springtime rollercoaster!

It's hard to know what to make of this spring. We've celebrated some of the best news we've heard in years -- first and foremost the stunning victory of gaining a new Marsh Fork Elementary, along with the EPA's strong decision to limit destruction from valley fills.

However, our community has also been devastated by the Upper Big Branch mine disaster, when 29 brave miners lost their lives in the explosion. It is important to hold those responsible for disasters accountable, and to understand the larger systems that allow people to duck responsibility. This kind of work is Coal River Mountain Watch's bread and butter -- we specialize in understanding big-picture problems and demanding accountability.

However, above all else, we, as fellow humans, mourn the deaths of these men and the suffering of their friends and family. Though we continue on through the ups and downs, we never forget the immeasurable value of the life of every human being.

-- Your friends at Coal River Mountain Watch

Mountaineers are NOT always free...



Cartoon by Roseanne Orthober, title by Junior Walk

New Media

With two new websites and a jaw-dropping book, we've gained powerful media tools

EDWIGHT WATCH: Keeping tabs on the "mine next door"

Edwight Watch is an effort to expose the lack of regulation on Edwight and all mountaintop removal sites in the coalfields of West Virginia. Coal River Mountain Watch volunteers and interns are partnering with community members to cite violations using a variety of methods, including ground photography from nearby ridges and the use of Geographic Information System (GIS) mapping to compare aerial photography to current mine permits. We have encouraged WV Department of Environmental Protection inspectors to utilize these methods, but no changes have been made thus far. Our information is bolstered by extensive amounts of historical information and oral testimony related to the destruction of the Hazy Creek and Shumate drainages.

In the spring of 2009, Bo Webb pressured federal and state regulatory agencies to start issuing violations in response to dangerous, active blasting at the Edwight Surface Mine, just up-hill of his property. The WV Department of Environmental Protection, while somewhat responsive, has continued to disobey the law in their handling of violations on Edwight.

Taking Bo Webb and his work fighting the injustice of the mining regulatory system in West Virginia as inspiration, we hope to encourage community members to speak out about their frustrations with the regulatory systems to us and to the regulators that must hear them.

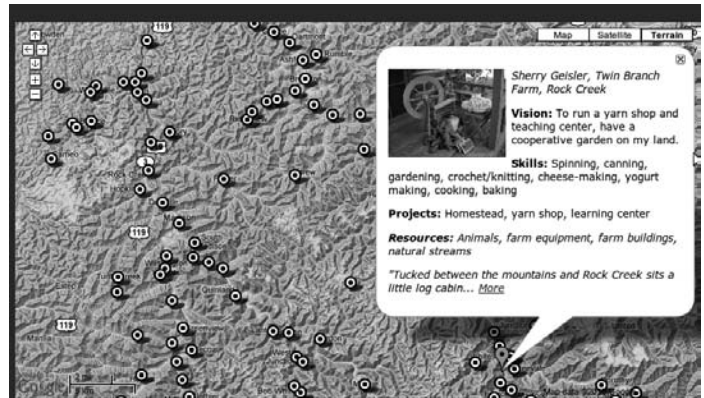
Follow Edwight Watch at: <http://www.crmw.net/edwight>

Book becomes key organizing tool

Thanks to a generous grant from the Tides Foundation and the hard work of the Foundation for Deep Ecology, Coal River Mountain Watch, along with the Ohio Valley Environmental Coalition and the WV Highlands Conservancy, received 1,830 copies of *Plundering Appalachia*. This coffee-table-style book documents the destruction of mountaintop removal through stunning but devastating photographs and powerful words from coalfield activists like Judy Bonds, Maria Gunnoe, and Teri Blanton and experts such as Robert F. Kennedy Jr., and Wendell Berry.

We are using this book as an organizing tool by giving copies to politicians, libraries, media, and community members who commit to showing the photographs to more people.

For more information on the book, visit: www.plunderingappalachia.org.



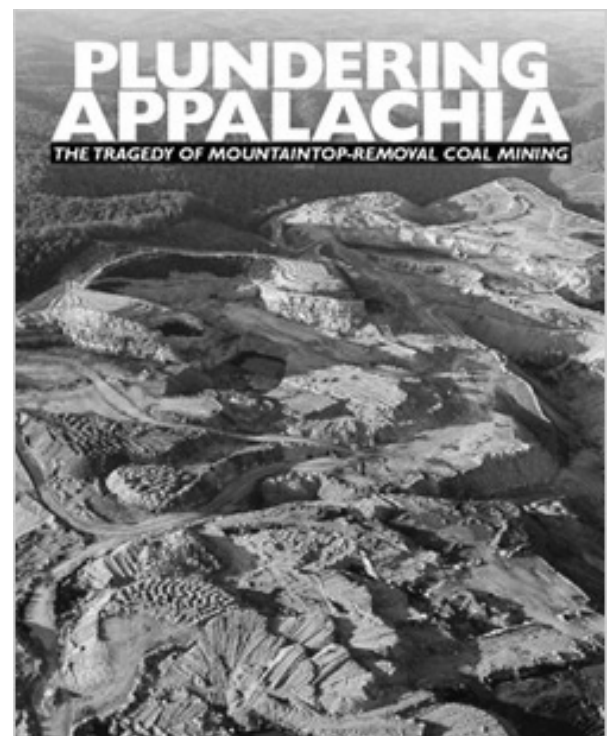
The new web-page reveals the Coal River Valley's wealth of talent, tools, and ideas for a sustainable future.

Mapping community resources

How can we show that coal is far from the only valuable resource in the Coal River Valley? Thanks to a generous grant from the WV Humanities Council, Coal River Mountain Watch has teamed up with nonprofit Aurora Lights (founded by Jen Osha) to map the local talents, ideas, resources, and projects that abound in the valley.

Recognizing our wealth of resources, both in land and people, is key to building the sustainable community we envision. The map will document these resources and new community projects through photos and descriptions on a new page of the original Aurora Lights website, www.JourneyUpCoalRiver.org.

The new page will serve as a way for local residents to connect ideas with resources, as a teaching tool for educators, and as an inspiration to all who support sustainable community development.



How Can I Get Involved?

- **Tell the EPA to follow through with blocking the Spruce Mine.** Help EPA block the largest-ever proposed mine in WV. See below for a sample letter.

- **Thank the EPA for their decision to limit the destruction of valley fills, through their new conductivity standards.** You can call Administrator Lisa Jackson at (202)564-4700 or email at jackson.lisa@epa.gov.

- **Tell the EPA to save Coal River Mountain:** Ask them to reject the valley fill permits for the proposed mines on Coal River Mountain: Massey Energy's Bee Tree, Eagle #2, and Eagle #3. Be sure to tell them who you are and why it matters to you. You can call Administrator Lisa Jackson at (202)564-4700 or email at jackson.lisa@epa.gov.

- **Become a member:** Membership amplifies your voice, connects you to others, and helps our standing in legal cases.

- **Speak Out**

- Letters to the editor and blogs: We want the world to read about our vision of a sustainable economy, not just the deep-pocket propaganda

- Talk to your neighbors: Reach out, build community, help us unite around these issues that affect us all

- **Donate:** In these financial times, every bit helps us keep going.

- **Share your story with visitors:** We're always looking for community members to tell journalists, students, and other visitors their stories about the impacts of mountaintop removal and their work to create a healthy future.

- **Keep educating yourself:** Our website (www.crmw.net) has updates and links, and our regular Action Alerts will help keep you posted. Another excellent site for information is www.ilovemountains.org.

Sample letter to the EPA to SUPPORT the veto of the Spruce Mine Permit

Mail or email your comments in by June 1
-- every voice counts!

Dear EPA

I am writing regarding docket number EPA-R03-OW-2009-0985.

First, I want to thank you for beginning the veto process and the proposed determination against Spruce #1 mine. This mine is one of the most destructive mountaintop removal sites ever proposed - and it is essential that this mine not go forward.

The impacts on local watersheds are putting human health at risk - and this mine would further limit future economic opportunities for surrounding communities which are already facing the impacts of long term poverty. As such, this site and other mountaintop removal sites like it are environmental justice concerns and we appreciate the EPA's recognition of these serious issues. Further, as stated in the EPA's determination, there is no technology available to even begin to mitigate the impacts this mine would have on surrounding water and wildlife.

I appreciate the EPA offering this opportunity for on-line comment. I know there is a public hearing be-

ing planned and I hope that all efforts will be made to ensure the safety of those attending the hearing - there have been threats and incidences at previous hearings on these controversial issues and we are concerned that many citizens will not feel comfortable attending.

In the long term, the EPA must reverse the fill rule and eliminate the practice of mountaintop removal and valley fills. This permit decision would outlaw the worst of the worst - but numerous studies have shown that because of the cumulative impact of mountaintop removal no new permits of any sort should go forward.

Sincerely,

Your Average American

HOW TO SUBMIT YOUR COMMENTS:

1. **Federal eRulemaking Portal:** <http://www.regulations.gov/search/Regs/home.html#submitComment?R=0900006480acee1c>

2. **E-mail:** ow-docket@epamail.epa.gov. Include the docket number, EPA-R03-OW-2009-0985, in the subject line of the message.

3. **Mail:**
"EPA-R03-OW-2009-0985, Spruce No. 1 Surface Mine"

U.S. Environmental Protection Agency EPA Docket Center Water Docket, Mail Code 28221T
1200 Pennsylvania Avenue, NW
Washington, DC 20460

MARK YOUR CALENDARS!

May 27 - June 6: Wiley's Last Resort in Letcher County, Kentucky. The sixth annual Mountain Justice Summer training camp! Join us for ten days spent cultivating the skills and visions needed to abolish mountaintop removal and build vibrant, healthy, self-reliant communities. Camp is a time for training, strategizing, bonding, service and action for veteran and novice activists, for people living both within and outside of the coalfields, for women and men, for people of all races, for youth and elders, and anyone in between.

Visit www.mountainjustice.org for more information.

May 28-31: 20th annual Heartwood Forest Council, Camp Ondes-sonk, Southern Illinois. For more info: <http://heartwood.org/forest-council/index.html>

May 30: 10 a.m. Church Service in the now ghost town of Lindytown, Boone County. At the lot behind the Lindytown Church. Bring a covered dish and working clothes to help plant flowers on the nearby graveyards after the service.

June 1: Comments due on the EPA's veto of the Spruce Mine Permit (see opposite page for more info). Or take action here: http://action.earthjustice.org/campaign/sprucemine_0410.

June 22-26: US SOCIAL FORUM II . Detroit, Michigan, USA - A Call to Participate in Building the Road to Detroit. Another World Is Possible! Another US is Necessary! Go to www.USSF2010.org.

July 3 - 4: Annual Fourth of July Celebration on Kayford Mountain. Music, speakers, potluck. Speakers will include climate scientist James Hansen. For more info, contact Larry Gibson at mountain-keeper@gmail.com.

August 13 -15: Leadership training! Camp Virgil Tate, Sissonville, WV. Save the date for grassroots trainings with groups who are part of the Alliance For Appalachia. Trainings on organizing, media, anti-racism, more. Email dana@theallianceforappalachia.org for more info.

AMPLIFY YOUR VOICE



Become a member or renew your membership today!

Coal River Mountain Watch (CRMW) is a grassroots organization working to preserve the communities in the mountains of southern West Virginia. Our mission is to stop the destruction of our communities and the environment caused by mountaintop removal mining, to improve the quality of life in our communities, and to help rebuild sustainable communities. CRMW works to empower local residents to work together to fight the effects of irresponsible mining techniques. While we honor the tradition of coal mining in this state, it is our position that mountaintop removal is destructive to our homes and to our mountain heritage, and must be halted. Our goals include advancing economic diversity and increasing public safety. CRMW welcomes members who support our mission and goals. CRMW does not discriminate against any person on the basis of race, gender, age, religion, physical ability, or sexual orientation.

Name

Street Address

City, State, Zip Code

Email Address

Friend ___\$10 Defender ___\$25 Champion ___\$50 Warrior ___\$100 Other \$___



P.O. Box 651, Whitesville, WV 25209

THANK YOU!

to all our funders, supporters,
encouragers, and fellow
fighters of the good fight

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You – every one of our members